

REMARKS

The Election of Species and Restriction Requirement mailed on October 8, 2002, has been received and reviewed. Claims 1-23 are currently pending in the above-referenced application.

Restriction Requirement

Claims 1-23 are subject to a restriction requirement. The restriction requirement is not fully understood since claim 1 appears in both Group 1 and Group 2. Moreover, all of the dependent claims in Groups 1 and 2 depend from claim 1 and, thus, should be subject to the same search.

In any event, an election is hereby made, without traverse, to prosecute claims 12-18 of Group 3.

Election of Species Requirement

Claims 1-23 are also subject to an election of species requirement. The Office has identified the following species of invention:

Species A, shown in FIG. 3A, appears to be drawn to an apparatus which includes a die retaining-element that comprises a magnet which makes up an entire die-supporting surface of the apparatus;

Species B, shown in FIG. B, appears to be drawn to an apparatus which includes a die-retaining element that comprises a magnet which has a surface area that is smaller than the die-supporting surface of the apparatus;

Species C, shown in FIG. C, appears to be drawn to an apparatus that includes a mechanical die-retaining element;

Species D, shown in FIG. 8, appears to be drawn to a hand tool for forcing a die through a sheet of material;

Species E, shown in FIG. 9, appears to be drawn to a system which includes the hand tool of Species D and a support structure therefor, which facilitates use of the hand tool on a table top or other support surface; and

Species F, shown in FIG. 10, appears to be drawn to an apparatus for forcing a die through a sheet of material which is to be supported upon a table top.

An election is hereby made, without traverse, to prosecute the claims that read on Species D, which includes a hand tool for forcing a die through a sheet of material.

It is respectfully submitted that each of claims 1-3, 5-16, and 19-23 reads on Species D. Claim 12 is believed to currently be generic to Species D, as well as to Species A, B, C, E, and F. It is also respectfully submitted that at least independent claims 1 and 19 are generic to all of Species A-F.

Preliminary Amendment

Please note that a Preliminary Amendment was filed in the above-referenced application on November 16, 2001, but that the undersigned attorney has not yet received any indication that the Preliminary Amendment has been entered into the Office file. If, for some reason, the Preliminary Amendment has not been entered into the Office file, the undersigned attorney would be happy to have a true copy thereof hand-delivered to the Office.

CONCLUSION

An early examination as to the merits of claims 12-18 is respectfully solicited.

Respectfully submitted,



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